

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MELISSA M. YOUELLS,

: CIVIL ACTION NO. 3:19-CV-633

Plaintiff,

: (JUDGE MARIANI)

v.

: (Magistrate Judge Carlson)

JULIUS DZAKPASU and

WESTERN EXPRESS, INC.,

Defendants.

FILED  
SCRANTON  
OCT 23 2019  
PER 01  
DEPUTY CLERK

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

WILLIAM WAGNER,

: CIVIL ACTION NO. 3:19-CV-922 ✓

Plaintiff,

: (JUDGE MARIANI)

v.

: (Magistrate Judge Carlson)

JULIUS DZAKPASU and

WESTERN EXPRESS, INC.,

Defendants.

ORDER

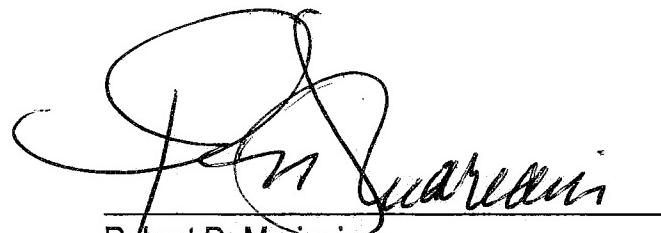
AND NOW, THIS 28<sup>th</sup> DAY OF OCTOBER 2019, upon review of

Magistrate Judge Carlson's Report and Recommendation ("R&R") (Civ. A. No. 3:19-CV-633

Doc. 23; Civ. A. No. 3:19-CV-922 Doc. 20) concerning Defendants' Motion to Consolidate

Cases (Civ. A. No. 3:19-CV-633 Doc. 12; Civ. A. No. 3:19-CV-922 Doc. 11) for clear error or manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R is **ADOPTED** for the reasons set forth therein.
2. Defendants' Motion to Consolidate Cases (Civ. A. No. 3:19-CV-633 Doc. 12; Civ. A. No. 3:19-CV-922 Doc. 11) is **GRANTED IN PART** and **DEFERRED IN PART**.
3. The above-captioned matters shall be consolidated for pre-trial purposes and for trial on the liability phase of the cases.
4. A decision on whether the damages phase of the trial should be bifurcated will be decided at a later phase of the proceedings.
5. All further filings shall be made under Civil Action No. 3:16-CV-633 with Melissa M. Youells and William Wagner identified as Plaintiffs;
6. The Clerk of Court is directed to administratively close Civil Action No. 3:19-CV-922.



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Robert D. Mariani  
United States District Judge